

IV. Small Miner (SMES) Leaching Permits

Small miners who use cyanide or other metal leaching solvents must obtain an Operating Permit for only that portion of their operation where cyanide or other metal leaching solvents are used. Section 82-4-305(7) MCA reads:

"A small miner who intends to use a cyanide or other metal leaching solvent ore-processing reagent [for vat or heap leaching] shall obtain an Operating Permit [mining permit] for that part of the small miner's operation in which the cyanide or other metal leaching solvent ore-processing reagent will be used or disposed of".

To obtain an Operating Permit (in this case, an **SMES Leaching Permit**), the applicant must submit an application that contains adequately-detailed information regarding environmental baseline, operating plans, and a reclamation plan. The legislature intended this new **SMES Leaching Permit** to be somewhat less cumbersome to apply for than a full-scale Operating Permit application, in recognition of the limited resources available to most small miners. The legislature has provided some funding for an additional Hard Rock Program employee to spend part of the time assisting small miners with these applications.

That portion of the small miner's permit area where cyanide or other metal leaching solvent is used (i.e., the leach pads, ponds, Merrill-Crowe or carbon plant, leaching vats, LAD areas, detoxification system/circuit, etc.) will be bonded for full reclamation/water treatment costs by DEQ. The mining area (pit, adits, waste rock dumps) and associated roads, etc. will still fall under the SMES and its requirements and are not bonded by DEQ. The 5-acre limitation does not apply to those cyanide or other metal leaching solvent facilities that are fully permitted and bonded under the SMES Leaching Permit.